

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Declaration pursuant to 37 CFR 3.73(b)

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AUG 27 2003

Technology Center 2100

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The purpose of this declaration is to record that Ellen Roth, Esq. Assistant Company Secretary and officer of Siemens Medical Solutions USA, Inc. is authorized to act, transfer and assign patents on behalf of Siemens Medical Solutions USA, Inc. and is also authorized to act, transfer and assign patents on behalf of predecessor companies to Siemens Medical Solutions USA, Inc. as the successor to such predecessor companies. Specifically, Ellen Roth, Esq. is authorized to act, transfer and assign patents on behalf of,

**Siemens Medical Solutions USA, Inc.**, a Delaware corporation, having a place of business at 51 Valley Stream Parkway, Malvern, Pennsylvania 19355;

**Siemens Medical Systems, Inc.**, a Delaware corporation, having a place of business at 186 Wood Avenue South, Iselin, New Jersey 08830;

**Siemens Medical Electronics, Inc.**, a Delaware corporation, having a place of business at 16 Electronics Avenue, Danvers, Massachusetts 01923.

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TECHNOLOGY CENTER R3700

Chain of Title.

As evidence of Ellen Roth's authority,

Exhibit A establishes that **Siemens Medical Systems, Inc.**, changed its name to **Siemens Medical Solutions USA, Inc.**, on August 1, 2001.

Exhibit B establishes that **Siemens Medical Electronics, Inc.**, merged with and into **Siemens Medical Systems, Inc.**, on March 31, 1993.

Respectfully submitted,

Alexander J. Burke

Reg. No. 40,425

19 August 2003

Alexander J. Burke  
Intellectual Property Department  
Siemens Corporation,  
170 Wood Avenue South  
Iselin, N.J. 08830  
Tel. 732-321-3023 – Fax 732-321-3030

*State of Delaware*  
*Office of the Secretary of State*

EXHIBIT A

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I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "SIEMENS MEDICAL SYSTEMS, INC.", CHANGING ITS NAME FROM "SIEMENS MEDICAL SYSTEMS, INC." TO "SIEMENS MEDICAL SOLUTIONS USA, INC.", FILED IN THIS OFFICE ON THE FIRST DAY OF AUGUST, A.D. 2001, AT 12 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF AMENDMENT IS THE FIRST DAY OF OCTOBER, A.D. 2001.

0941229 8100

010383716



Harriet Smith Windsor  
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 1282312

DATE: 08-07-01

STATE OF DELAWARE  
SECRETARY OF STATE, 02/02  
DIVISION OF CORPORATIONS  
FILED 12:00 PM 08/01/2001  
010374695 - 0941229

CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF INCORPORATION  
OF  
SIEMENS MEDICAL SYSTEMS, INC.

Pursuant to Section 242  
of the Delaware General Corporation Law

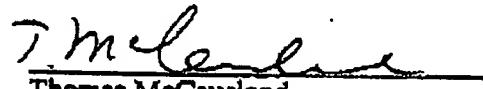
The undersigned, Thomas McCausland, being the President & CEO of Siemens Medical Systems, Inc., a corporation organized and existing under the laws of the State of Delaware (the "Corporation"), DOES HEREBY CERTIFY:

FIRST: That Article FIRST of the Certificate of Incorporation be, and hereby is, amended to read in its entirety as follows:

"FIRST. Name. The name of the corporation is Siemens Medical Solutions USA, Inc.

SECOND: That the aforesaid amendment was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware with an effective date of October 1, 2001.

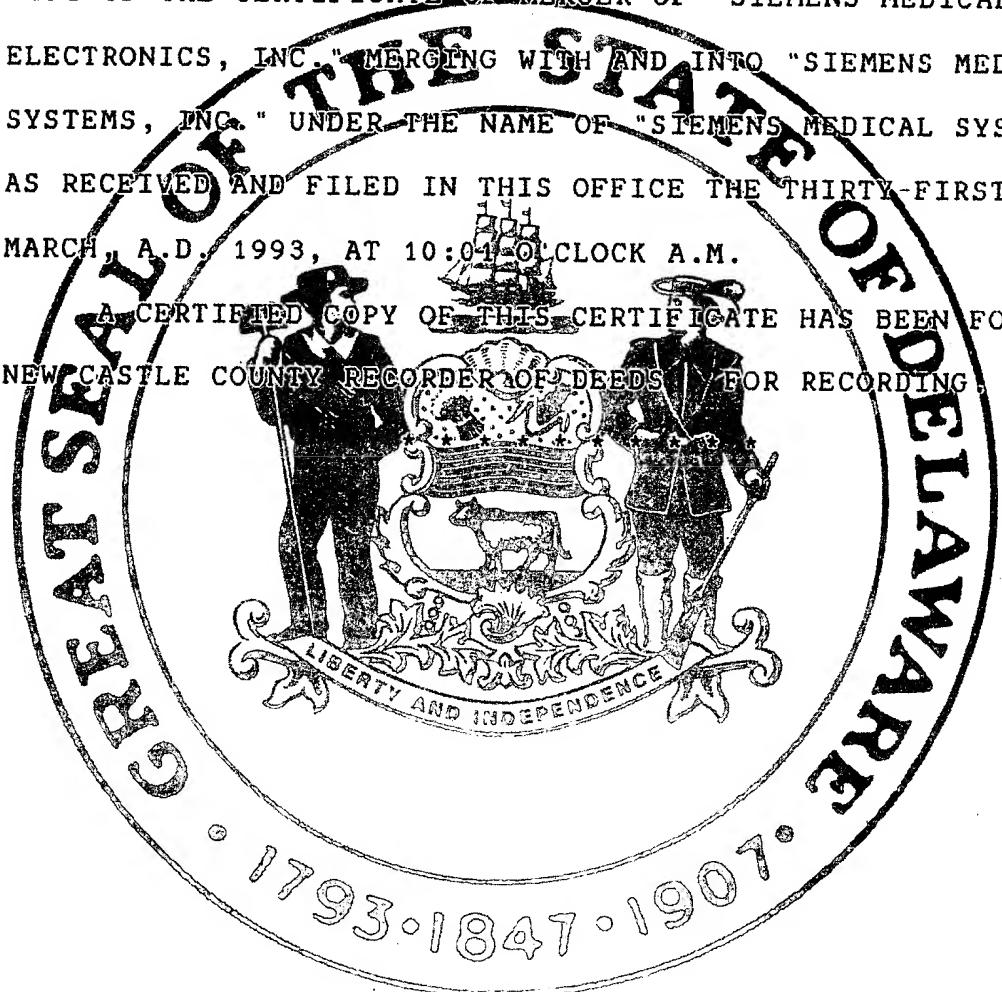
IN WITNESS WHEREOF, the undersigned has affixed his signature as President of this Corporation this 31<sup>st</sup> day of July, 2001.

  
Thomas McCausland  
President & CEO

*State of Delaware*  
*Office of the Secretary of State*

I, WILLIAM T. QUILLEN, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER OF "SIEMENS MEDICAL ELECTRONICS, INC." MERGING WITH AND INTO "SIEMENS MEDICAL SYSTEMS, INC." UNDER THE NAME OF "SIEMENS MEDICAL SYSTEMS, INC." AS RECEIVED AND FILED IN THIS OFFICE THE THIRTY-FIRST DAY OF MARCH, A.D. 1993, AT 10:04 O'CLOCK A.M.

A CERTIFIED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO NEWCASTLE COUNTY RECORDER OF DEEDS FOR RECORDING.



*William T. Quillen*

William T. Quillen, Secretary of State

AUTHENTICATION:

\*4046841

723251074

DATE:

09/08/1993

**CERTIFICATE OF MERGER  
OF  
SIEMENS MEDICAL ELECTRONICS, INC.  
INTO  
SIEMENS MEDICAL SYSTEMS, INC.**

Pursuant to Section 251 of the Delaware General Corporation Law

The undersigned corporation

**DOES HEREBY CERTIFY:**

**FIRST:** That the names and states of incorporation of each of the constituent corporations of the merger are as follows:

| <u>Name</u>                       | <u>State of Incorporation</u> |
|-----------------------------------|-------------------------------|
| Siemens Medical Electronics, Inc. | Delaware                      |
| Siemens Medical Systems, Inc.     | Delaware                      |

**SECOND:** That an Agreement and Plan of Merger between the parties to the merger has been approved, adopted, certified executed and acknowledged by each of the constituent corporations in accordance with the requirements of Section 251 of the General Corporation Law of the State of Delaware.

**THIRD:** That the name of the surviving corporation of the merger is Siemens Medical Systems, Inc.

**FOURTH:** That the Certificate of Incorporation of Siemens Medical Systems, Inc., a Delaware corporation which is surviving the merger, shall be the Certificate of Incorporation of the surviving corporation.

FIFTH: That the executed Agreement and Plan of Merger is on file at the principal place of business of the surviving corporation, the address of which is c/o Siemens Corporation, 1301 Avenue of the Americas, New York, New York.

SIXTH: That a copy of the Agreement and Plan of Merger will be furnished on request and without cost, to any stockholder of any constituent corporation.

SEVENTH: That this Certificate of Merger shall be effective on March 31, 1993.

Dated: March 29, 1993

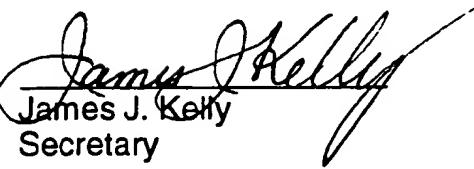
SIEMENS MEDICAL SYSTEMS, INC.

By:

  
Helmut Hirschmann  
Executive Vice President

ATTEST:

By:

  
James J. Kelly  
Secretary